

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

JABBAR M.A. WILLIAMS,                     )  
  )  
          Plaintiff,                            )  
  )  
v.    )  
  )  
MEG HEAP,                                    )  
District Attorney of the Eastern        )  
Judicial Circuit, individually and in    )  
her official capacity,                    )  
  )  
          Defendant.                         )

Case No. CV415-303

**REPORT AND RECOMMENDATION**


Jabbar M.A. Williams has brought another 42 U.S.C. § 1983 case, this time against a state prosecutor. Doc. 1. It is merely a repackaged version of *Williams v. City of Savannah, et al.*, CV415-125, doc. 10 (S.D. Ga. Nov. 12, 2015) (advising dismissal on several grounds, including the fact that the prosecutor -- the same there as is sued here -- is immune from suit), and thus should similarly be dismissed. For that matter, this case should be consolidated with that case, and each should count as a 28 U.S.C. § 1915(g) strike. The Court **DENIES** his motion to appoint counsel. Doc. 6.

Meanwhile, it is time for Williams to pay his filing fee. His furnished

PLRA paperwork reflects \$0.00 in average monthly deposits over the six month period prior to the date of his Prison Account Statement. Doc. 4. He therefore owes no initial partial filing fee. *See* 28 U.S.C. § 1915(b) (1) (requiring an initial fee assessment “when funds exist,” under a specific 20 percent formula). Plaintiff’s custodian (or designee) shall therefore set aside 20 percent of all future deposits to his account, then forward those funds to the Clerk each time the set aside amount reaches \$10.00, until the balance of the Court's \$350.00 filing fee has been paid in full.

Also, the Clerk is **DIRECTED** to send this R&R to plaintiff’s account custodian immediately, as this payment directive is nondispositive within the meaning of Fed. R. Civ. P. 72(a), so no Rule 72(b) adoption is required. In the event plaintiff is transferred to another institution, his present custodian shall forward a copy of this Order and all financial information concerning payment of the filing fee and costs in this case to plaintiff’s new custodian. The balance due from the plaintiff shall be collected by the custodian at his next institution in accordance with the terms of this Order.

**SO REPORTED AND RECOMMENDED**, this 18th day of  
December, 2015.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA